

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**LATTIME CONSTRUCTION AND
HOME BUILDING, INC.,**

Plaintiff,

v.

THE BERRY COMPANY, et al.,

Defendants.

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Case No. 1:05-CV-1062-F

JOINT MOTION TO DISMISS WITH PREJUDICE

Plaintiff Lattime Construction and Home Building, Inc., defendant-counterclaimant L. M. Berry and Company, and defendant CenturyTel Service Group, LLC jointly move this Court to enter an order dismissing with prejudice the claims of the plaintiff against the defendants and the counterclaim of L. M. Berry and Company against the plaintiff, with each party to bear its own costs of court. In support of this motion, the parties shown unto the Court that the parties have reached an amicable settlement of their dispute and agree that all claims in this civil action should be dismissed with prejudice.

s/ John E. Byrd, Sr.

John E. Byrd, Sr.

Counsel for Plaintiff Lattime Construction
and Home Building, Inc.

s/ Craig A. Alexander

Craig A. Alexander

Counsel for Defendants L. M. Berry and
Company and CenturyTel Service Group,
LLC